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PTO/SB/05 (03-01)

Approved for use through 10-31-2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **X-1393 US**First Inventor **Stephen M. Trimberger**Title **CONSENSUS AS AN EVALUATION FUNCTION FOR  
EVOLVABLE HARDWARE**Express Mail Label No. **EV 000378680 US**497 U  
10/644162  
08/20/03  
**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

Commissioner for Patents  
P.O. Box 1450; Mail Stop Patent Application  
Alexandria, Virginia 22313-1450

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2.  Specification [Total Pages **23**]

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequenct listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3.  Drawing(s) (35 USC 113) [Total Sheets **5**]

4. Oath or Declaration [Total Pages **1**]

- a.  Newly Executed (original or copy)

- b.  Copy from a prior application (37 CFR §1.63(d))  
(for continuation/divisional with Box 17 completed)

- i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting  
inventor(s) named in the prior application,  
see 37 CFR 1.63(d)(2) and 1.33(b).

5.  Application Data Sheet. See 37 CFR 1.76

6.  CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a.  Computer Readable Copy (CRC)
- b. Specification Sequence Listing on:
  - i.  CD-ROM or CD-R (2 copies); or
  - ii.  paper
- c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8.  Assignment Papers (cover sheet & document(s))

9.  37 CFR 3.73(b) Statement  
(when there is an assignee)  Power of Attorney

10.  English Translation Document (if applicable)

11.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

12.  Preliminary Amendment

13.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)

14.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)

15.  Nonpublication Request under 35 U.S.C 122  
(b)(2)(B). Applicant must attach form PTO/SB/35  
or its equivalent.

16.  Other: .....

17. If a CONTINUATING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied  
under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by  
reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

**24309**

(Insert Customer No. or Attach bar code label here)

or

Correspondence address below

Name

**Attn: Justin Liu**

Address

City

State

Zip Code

Country

Telephone

408-879-4641

Fax

408-377-6137

Name (Print/Type)

**Justin Liu**

Registration No. (Attorney/Agent)

**51,959**

Signature

Date August 20, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop: Patent Application, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1024.00)

Complete if Known

Application Number	Unknown
Filing Date	August 20, 2003
First Named Inventor	Stephen M. Trimberger
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	X-1393 US

## METHOD OF PAYMENT (check all that apply)

- 1.
- 
- Deposit Account:

Deposit Account Number	24-0040
Deposit Account Name	XILINX, INC.

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below       Credit any overpayments
- Charge any additional fee(s) during the pendency of this application
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

## Large Entity

Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	Utility filing fee	\$750
1002	320	Design filing fee	
1003	490	Plant filing fee	
1004	750	Reissue filing fee	
1005	160	Provisional filing fee	
SUBTOTAL (1)		(\$ 750.00)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20** =	Extra Claims below	=	Fee Paid
33	-20** =	13	x 18 =	\$234
Indep. Claims	- 3** =	0	x 0 =	\$0
Multiple Dependent			x 0 =	

## Large Entity

Fee Code	Fee (\$)	Fee Description
1202	18	Claims in excess of 20
1201	84	Independent claims in excess of 3
1203	280	Multiple dependent claim, if not paid
1204	84	**Reissue independent claims over original patent
1205	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 234.00)

\*\* or number previously paid, if greater; For Reissues, see above

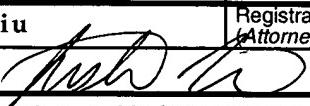
## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Fee Code	(\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	
1052	50	Surcharge - late provisional filing fee or cover sheet.	
147	2,520	For filing a request for reexamination	
1812	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	Extension for reply within first month	
1252	400	Extension for reply within second month	
1253	920	Extension for reply within third month	
1254	1,440	Extension for reply within fourth month	
1255	1,960	Extension for reply within fifth month	
1401	320	Notice of Appeal	
1402	320	Filing a brief in support of an appeal	
1403	270	Request for oral hearing	
1451	1,510	Petition to institute a public use proceeding	
1452	110	Petition to revive - unavoidable	
1453	1,240	Petition to revive - unintentional	
1501	1,240	Utility issue fee (or reissue)	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	240	Submission of Information Disclosure Stmt	
8021	40	Recording each patent assignment per property (times number of properties)	\$40
1809	750	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	710	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	Request for Continued Examination (RCE)	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 40.00)

## SUBMITTED BY

Name (Print/Type)	Justin Liu	Registration No. (Attorney/Agent)	51,959	Telephone	408-879-4641
Signature				Date	08-20-2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information separately on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

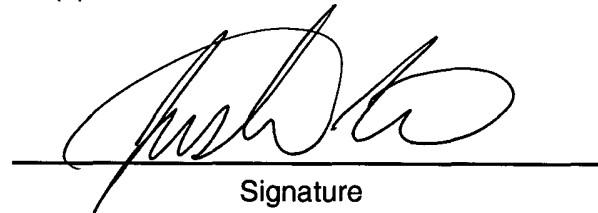
**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Stephen M. Trimberger
Title	CONSENSUS AS AN EVALUATION FUNCTION FOR EVOLVABLE HARDWARE
Atty Docket Number	X-1393 US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

August 20, 2003

Date



Signature

Justin Liu

Reg. No. 51,959

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.